

## Modifications to Chapter 270-133.1

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### § 270-137.1 Application and fees.

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[Added 12-9-1992 by L.L. No. 37-1992; amended 8-8-2007 by L.L. No. 9-2007; 2-25-2009 by L.L. No. 1-2009]

#### A.

~~Except as noted below,~~ all site plan applications shall be accompanied by a fee as affixed by the Rotterdam Town Board and designated in Chapter [126](#) of the Town Code, entitled "Fees."

#### ~~(1)~~

~~There shall be no fee required to accompany a site plan approval application for any person, firm, corporation, association or partnership that has as the primary purpose of said application to install "green" energy production on improved property or if said application contains the construction or implementation of at least 10% of "green" energy production for the proposed site plan for any new construction. For purposes of this subsection, "green energy production" shall include but is not limited to power obtained through wind, solar, geothermal, hydroelectric, and/or solar voltaic (electric).~~

#### B.

Administrative fees. The costs incurred for the review of a site plan application by the Town Engineer, for consulting engineering fees or other consulting fees in conjunction with the Planning Board's review for a proposed application, including reviews required under the New York State Environmental Quality Review Act, [11](#) shall be charged to the applicant. The Planning Board shall obtain an estimate from any designated consultant for an amount sufficient to defray the costs of such services. The applicant shall enter into an escrow agreement with the Town of Rotterdam Planning Board, and said agreement shall be executed by the Rotterdam Planning Board Chairman, upon authorization from the Rotterdam Planning Board. The Rotterdam Planning Board Attorney shall prescribe the terms and appropriate form of the escrow agreement. Any portion of the estimated charges so collected by escrow agreement which is not expended by the Town shall be returned to the applicant.